

LFC Requester:**Jonas Armstrong****AGENCY BILL ANALYSIS
2016 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:****LFC@NMLEGIS.GOV***and***DFA@STATE.NM.US***{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}**Check all that apply:***Original** X **Amendment** **Correction** **Substitute** **Date** February 1, 2016**Bill No:** SB 248**Sponsor:** Howie C. Morales**Agency Code:** 305**Short** Fund Grant County Water**Person Writing** Stephen Farris**Title:** Supply from NM Unit**Phone:** 505-222-9090 **Email** sfarris@nmag.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

SB 248 mandates that the New Mexico Interstate Stream Commission allocate \$13 million from the New Mexico Unit Fund to the Grant County regional water supply project to meet water supply demands in Silver City and mining district communities in Grant County.

FISCAL IMPLICATIONS

NA

SIGNIFICANT ISSUES

SB 248 attempts to amend federal law by changing the funding allocation criteria set forth in the federal Arizona Water Settlements Act (AWSA), Pub. L. 108-451. As such, SB248, if enacted, would be preempted by the AWSA under the Supremacy Clause of the U.S. Constitution. U.S. Const. Art. VI.

PERFORMANCE IMPLICATIONS

NA

ADMINISTRATIVE IMPLICATIONS

NA

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

NA

TECHNICAL ISSUES

NA

OTHER SUBSTANTIVE ISSUES

NA

ALTERNATIVES

NA

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

NA